

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQ DELTA, LLC,

Plaintiff,

v.

**COMMSCOPE HOLDING COMPANY, INC.,
COMMSCOPE INC., ARRIS US HOLDINGS,
INC., ARRIS SOLUTIONS, INC., ARRIS
TECHNOLOGY, INC., and ARRIS
ENTERPRISES, LLC**

Defendants.

CIV. A. NO. 2:21-CV-310-JRG

**DECLARATION OF ROSS R. BARTON IN SUPPORT OF COMMSCOPE'S
RESPONSE TO TQ DELTA'S MOTION FOR JUDGMENT AS A MATTER OF LAW
ON NONINFRINGEMENT OF CLAIM 14 OF THE '008 PATENT, AND
ALTERNATIVE MOTION FOR A NEW TRIAL (DKT. NO. 539)**

I, Ross R. Barton, declare:

1. I am a partner at Alston & Bird LLP, counsel of record for Defendants CommScope Holding Company, Inc., CommScope Inc., ARRIS US Holdings, Inc., ARRIS Solutions, Inc., ARRIS Technology (collectively, "CommScope"). I am over the age of 18 years, have personal knowledge of the matters in this declaration, and if called as a witness, I would and could competently testify to them.

2. Attached hereto as **Exhibit A** is a true and correct copy of an email from Mr. Wilson to Mr. Clark, Mr. Huguenard, and Ms. Jackson, dated March 22, 2023. Yellow highlighting has been added for the convenience of the Court.

3. Attached hereto as **Exhibit B** is a true and correct copy of an email from Mr. Wilson to Mr. Clark, Mr. Huguenard, and Ms. Jackson, dated March 22, 2023, and excerpts from the attached Joint Proposed Final Jury Instructions. Yellow highlighting has been added for the

convenience of the Court.

4. Attached hereto as **Exhibit C** is a true and correct copy of an email from Mr. Wilson to Mr. Clark, Mr. Huguenard, and Ms. Jackson, dated March 23, 2023, and excerpts from the attached Joint Proposed Final Jury Instructions. Yellow highlighting has been added for the convenience of the Court.

5. Attached hereto as **Exhibit D** is a true and correct copy of excerpts from Dr. Vijay K. Madisetti's trial demonstratives.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 15, 2023, in Charlotte, North Carolina.

/s/ Ross R. Barton
Ross R. Barton